

2010 City Council Minutes

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City of Clark Council Meeting
January 11, 2010
7:00 PM

Call to order: The Clark City Council met in session on January 11, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roger Collins, Darin Altfillisch, Loren Stanley and Kimberly Harrington. Mayor Stevens was absent.

Council President Dreher called the meeting to order at 7:02 pm.

Motion # 001-2010

Adopt Agenda

Motion by Fuller and seconded by Reidburn to adopt the agenda. All members voting yes. Motion carried.

Public Input

Fuller stated a citizen voiced concerns on the power outages the city has recently had. This is not a city utility and these concerns should be directed to Northwestern Energy. City Attorney reminded council that the public input section of the agenda is for citizens and council should encourage citizens to come to address their own concerns.

Department Updates

Updates given by Collins, Altfillisch, Stanley and Luttrell.

Motion # 002-2010

Reasonable Suspicion Training

Motion by Heim and seconded by Streff to authorize Rae Jean Flora or Jackie Luttrell to attend the Reasonable Suspicion Training in Sioux Falls on February 9 for the med van federal grant requirements. All members voting yes. Motion carried.

Motion # 003-2010

Skid Steer Trade

Motion by Streff and seconded by Reidburn to accept the skid steer trade proposal by Westside Implement for a new Gehl 5240 skid loader for \$24,500.00. Fuller abstained from the vote. Remaining members voting yes. Motion carried.

Motion # 004-2010

Sheriff's Report

Motion by Fuller and seconded by Heim to approve the Sherriff's report. All members voting yes. Motion carried.

Motion # 005-2010

Approve Minutes

Motion by Pollock and seconded by Heim to approve the Council Meeting Minutes from December 28, 2009. All members voting yes. Motion carried.

Motion # 006-2010

Approve Financial Statements

Motion by Reidburn and seconded by Streff to approve the financial statements. All members voting yes. Motion carried.

Motion # 007-2010

Approve 4th Quarter Library Statement

Motion by Pollock and seconded by Fuller to approve the financial statements. All members voting yes. Motion carried.

Motion # 008-2010

Approve Claims

Motion by Fuller and seconded by Reidburn to approve the following claims. All members voting yes. Motion carried.

Additional Paid Claims

Check #	To	For	Amount
18615 - 18629	Water Dept.	payroll	\$774.31
	Sewer Dept.	payroll	\$774.31
	Govt. Bldg.	payroll	\$48.83
	Streets Dept.	payroll	\$3,084.31
	Finance Office	payroll	\$1,081.53
	Sanitation	payroll	\$312.97
	Library	payroll	\$253.00
	Transit	payroll	\$445.71
	Mayor	payroll	\$114.81
	Parks Dept.	payroll	\$490.42
18630	Dacotah Bank	941 taxes	\$1,976.20
18631	SD Retirement Systems	retirement	\$2,764.20
18632	Account Mngt.	garnish	\$45.00
18633	Credit Collections	garnish	\$28.20
18634	Petty Cash	supplies	\$99.36
18650	Pioneer Bank & Trust	copier loan	\$471.00
18651	Cook's Wastepaper	garbage	\$5,192.96
18652 - 18665	Water Dept.	payroll	\$525.84
	Sewer Dept.	payroll	\$525.84
	Govt. Bldg.	payroll	\$41.81
	Streets Dept.	payroll	\$1,533.23
	Finance Office	payroll	\$522.82
	Sanitation	payroll	\$188.99
	Library	payroll	\$229.68
	Transit	payroll	\$267.69
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$402.63
18666	Dacotah Bank	941 taxes	\$1,075.26

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New January Claims

To	For	Amount
ALFAC	insurance	\$228.90
A&B Business Solutions	copier	\$70.03
A-OX Welding	supplies	\$10.23
City of Clark	utilities	\$58.90
Clark Chamber of Commerce	subsidies	\$3,000.00
Clark Community Oil	supplies	\$2,614.41
Clark Co. Courier	advertising	\$197.93
Clark Flower & Gifts	supplies	\$55.30
Clark Hometown Variety	supplies	\$17.58
Cook's Wastepaper	utilities	\$39.93
Dacotah Bank	professional fees	\$15.70
Ellwein Brothers	liquor	\$12,111.90
Expetec	maintenance	\$4,788.00
First District Assoc. Of Local Govt.	professional fees	\$3,000.00
Fjelland Attorney at Law	legal fees	\$524.80
Girton Adams Co.	repairs	\$261.02
Huron Culvert & Tank	supplies	\$213.30
ITC	utilities	\$401.13
JB Repair	repairs	\$300.50
Johnson Brothers	liquor	\$7,575.87
Ken's	supplies	\$42.61
Mack's Standard	supplies	\$206.00
Michael Todd & Co.	repairs	\$989.52
Midwest Alarm Co.	professional fees	\$261.25
Milbank Winwater	supplies	\$281.20
Moritz Publishing	supplies	\$120.20
Olson Auto Parts	supplies	\$124.17
Olson Motor Co.	repairs	\$138.33
Oscar's Machine Shop	repairs	\$77.34
Porter Distributing	liquor	\$4,024.50
Quill	supplies	\$51.06
Republic National	liquor	\$8,498.63
SD Dept. of Revenue	sales taxes	\$94.65
St. Paul Stamp Works	supplies	\$83.81
Woodring Plumbing	maintenance	\$76.50

Motion # 009-2010

2010 Law Enforcement Contract

Motion by Heim and seconded by Pollock to renew the Law Enforcement contract for 2010 with the Clark County Sheriff's Office. All members voting yes. Motion carried.

Dog Catcher

Jason Coenen has turned in his 30 day notice of his intent to not renew his contract as the city's dog catcher.

Motion # 010-2010

Advertise for Dog Catcher

Motion by Pollock and seconded by Heim to advertise for an independent contractor animal control officer/dog catcher with pay to be determined. All members voting yes. Motion carried.

Motion # 011-2010

Policy & Procedure Manual

Motion by Streff and seconded by Reidburn to approve the 2010 Policy & Procedure Manual with minor changes. All members voting yes. Motion carried.

Motion # 012-2010

Sales Tax Option

Motion by Fuller and seconded by Pollock to support the efforts of the SD Municipal League to obtain legislative authority for an additional penny of local option sales tax. All members voting yes. Motion carried.

Motion # 013-2010

Adjourn

Motion by Fuller and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:29 pm.

This institution is an equal opportunity provider, and employer.

President Larry Dreher

Attest: Finance Officer Jackie Luttrell

(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting
February 8, 2010
7:00 PM

Call to Order: The Clark City Council met in session on February 8, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim and John Pollock.
Absent Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roger Collins, Loren Stanley, Darin Altfillisch, Bill Krikac and Tika Sendelweck.

Mayor Stevens called the meeting to order at 7:00 pm.

Motion # 014-2010

Adopt Agenda

Motion by Fuller and seconded by Heim to adopt the agenda. All members voting yes. Motion carried.

Public Input

Tika Sendelweck asked council to enforce the snow removal ordinance on sidewalks.

Department Updates

Updates given by Altfillisch, Collins, Luttrell and Stanley.

Motion # 015-2010

Welcome Banners

Motion by Dreher and seconded by Pollock to purchase 14 welcome banners. All members voting yes.
Motion carried.

Motion # 016-2010

Mower

Motion by Dreher and seconded by Streff to trade the John Deere mower in for a Bushhog PZ3061 mower from Westside for \$3,250.00. Voting in favor: Dreher and Streff. Voting against Heim and Pollock. Fuller abstained. Motion failed.

Motion # 017-2010

Mower

Motion by Pollock and seconded by Heim to trade the John Deere mower in for a John Deere Z925A mower from Codington-Clark Equipment for \$3,300.00. Voting in favor: Pollock, Heim, Dreher and Streff. Abstain Fuller. Motion carried.

Motion # 018-2010

Florey's Bill

Motion by Streff and seconded by Pollock to approve the \$510.21 sewer machine rental bill from Florey's Plumbing. All members voting yes. Motion carried.

Motion # 019-2010

Department Updates

Motion by Dreher and seconded by Fuller to approve the department updates. All members voting yes. Motion carried.

Motion # 020-2010

Approve Minutes

Motion by Pollock and seconded by Heim to approve the Council Meeting Minutes from January 11, 2010. All members voting yes. Motion carried.

Motion # 021-2010

Approve Financial Statements

Motion by Dreher and seconded by Fuller to approve the financial statements. All members voting yes. Motion carried.

Motion # 022-2010

Approve Claims

Motion by Fuller and seconded by Streff to approve the following claims. All members voting yes. Motion carried.

Paid Claims

Check #	To	For	Amount
18699	Teresa Goertz-Reidburn	payroll	\$61.61
18700	Dacotah Bank	payroll taxes	\$10.14
18701	Alltel	utilities	\$92.09
18702 - 18716	Water Dept.	payroll	\$871.51
	Sewer Dept.	payroll	\$871.52
	Govt. Bldg.	payroll	\$84.98
	Streets Dept.	payroll	\$2,280.29
	Finance Office	payroll	\$1,000.53
	Sanitation Dept.	payroll	\$334.25
	Library	payroll	\$350.74
	Transit	payroll	\$470.10
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$676.28
18717	Dacotah Bank	941 taxes	\$1,919.14
18718	Wellmark BCBS	insurance	\$3,768.32
18719	SD Retirement Systems	retirement contributions	\$1,563.86
18720	Account Management	garnish	\$30.00
18721	Credit Collection Bureau	garnish	\$18.80
18722	Petty cash	supplies	\$31.00
18723	First National Bank	SRF loan	\$6,940.29
18724	AFLAC	insurance	\$228.90
307	Dacotah Bank	professional fee	\$2.00
308	Dacotah Bank	professional fee	\$17.20
309	Harland Checks	supplies	\$23.30

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Check #	To	For	Amount
18725 - 18740	Water Dept.	payroll	\$846.67
	Sewer Dept.	payroll	\$846.68
	Govt. Bldg.	payroll	\$84.98
	Streets Dept.	payroll	\$2,241.69
	Finance Office	payroll	\$1,000.53
	Sanitation Dept.	payroll	\$334.25
	Library	payroll	\$350.74
	Transit	payroll	\$681.69
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$679.99
18741	Dacotah Bank	941 taxes	\$1,981.67

Additional Claims

To	For	Amount
A&B Business	maintenance	69.23
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.23
SD Rural Development	revenue bond	\$787.00
SD Rural Development	revenue bond	\$908.00
Clark Community Oil	supplies	\$2,154.16
Clark County Historical Society	subsidies	\$560.00
Clark County Treasurer	police protection	\$8,165.00
Baker & Taylor	books	\$42.29
Banyon Data Systems	professional fees	\$195.00
Bendix	supplies	\$99.99
City of Clark	utilities	\$31.07
Clark County Courier	advertising	\$202.30
Clark Hometown Variety	supplies	\$18.37
Clark Rural Water	materials	\$19,036.60
Cook's Wastepaper	utilities	\$39.93
Colonial Research	supplies	\$163.41
Consumer Reports	subscription	\$26.00
Dacotah Bank	subsidies	\$3,655.42
Desnoyers Hardware	supplies	\$68.08
Ellwein Brothers	liquor	\$8,169.10
Fjelland Attorney at Law	legal fees	\$100.00
Forest Excavating	repairs	\$898.37
Hawkins	supplies	\$123.62
ITC	utilities	\$393.03

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ITC Rural Economic Dev.	subsidies	\$2,813.54
JB Repair	repairs	\$727.66
Johnson Brothers	liquor	\$6,579.19
Ken's	supplies	\$19.41
Mack's	supplies	\$583.90
Moritz Publishing	supplies	\$237.20
NAPA Auto Parts	supplies	\$4.99
National Geographic Society	subscription	\$34.00
Northwestern Energy	utilities	\$8,603.11
Olson Auto Parts	supplies	\$11.36
Olson Motor Co.	repairs	\$45.00
Oscar's Machine Shop	repairs	\$103.08
Petty Cash	supplies	\$76.95
Pitney Bowes	supplies	\$530.55
Porter Distributing	liquor	\$3,569.10
Readers Digest	subscription	\$9.98
Republic National	liquor	\$8,212.14
SD Dept. of Revenue	professional fees	\$200.00
SD Dept. of Revenue	sales tax	\$0.19
SD Public Assurance Alliance	insurance	\$22,876.24
Share Corp.	supplies	\$475.00
Star Laundry	maintenance	\$52.07
Texas Refinery Corp.	supplies	\$224.35
Time	subscription	\$29.95
Westside Implement	equipment	\$1,305.00

Motion # 023-2010

Sheriff's Report

Motion by Pollock and seconded by Streff to approve the Sheriff's report. All members voting yes.
Motion carried.

Monthly Meeting Date

Heim addressed council on changing the monthly meeting date to later in the month. By having the meeting later in the month, vendors will be able to get their bills in for payment. Decided to set the next month's meeting date at each council meeting.

Motion # 024-2010

Equalization Meeting

Motion by Pollock and seconded by Heim to combine the March city council meeting with the Equalization meeting for 7:00 pm on March 15, 2010. All members voting yes. Motion carried.

Sidewalk Snow Removal

City ordinance 6.04 states that snow is to be removed from sidewalks. Violators will be given 24 hour notice to remove the sidewalk. If not done, the City will remove it and bill the property owner.

Dogs Running at Large

City ordinance 4.04 states that dog owners are to maintain control of their pets and prevent them from running at large. Violators will receive an abatement notice along with a fine for each violation. Council discussed options for animal control officers with either the Sheriff or an individual who stated interest in the position.

Delinquent Water Accounts

Council discussed whether we should publish delinquent water accounts the same as delinquent taxes. Water shut off procedures will be strictly enforced.

Motion # 025-2010

Executive Session

Motion by Dreher and seconded by Heim to enter into executive session for contractual and personnel issues. All members voting yes. Motion carried.

Executive session began at 8:02 pm and ended at 8:30 pm.

Motion # 026-2010

Adjourn

Motion by Fuller and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:30 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell

(seal)

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City of Clark Equalization Meeting
March 15, 2010
7:00 PM

Call to order: The Clark City Council, sitting as the Equalization Board, met in session on March 15, 2010 at 7:00 pm in the City Hall Council Room to hold the Equalization meeting.

Council Members Present: Larry Dreher, Paul Fuller, Roberta Heim, and Lon Reidburn. Absent Louann Streff and John Pollock.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Janelle Paschen representing the school board and Bill Krikac.

Mayor Stevens called the meeting to order at 7:00 pm.

Motion # 027-2010

Adopt Agenda

Motion by Dreher and seconded by Reidburn to adopt the agenda. All members voting yes. Motion carried.

The board reviewed the assessment role and heard one appeal from Hazel Reidburn, legal description Exc E ½ & Exc 20' of W 140' & Exc N 100' of S 120' of W 175' of OL 45, Clark. Speaking on behalf of Mrs. Reidburn, Councilman Lon Reidburn informed the board that that appeal has been withdrawn.

Motion # 028-2010

Assessment Role

Motion by Dreher and seconded by Heim to approve the assessment role. All members voting yes. Motion carried.

Motion # 029-2010

Adjourn

Motion by Fuller and seconded by Heim to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:07 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting
March 15, 2010
7:00 PM

Call to order: The Clark City Council met in session on March 15, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Roberta Heim, and Lon Reidburn. Louann Streff arrived at 7:21 pm and John Pollock arrived at 7:57 pm.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Darin Altfillisch, Roger Collins, Loren Stanley, Morris Elcock from SD Rural Water Association, Larry Bartels and Kyle Gaikowski.

Mayor Stevens called the meeting to order at 7:07 pm.

Motion # 030-2010

Adopt Agenda

Motion by Heim and seconded by Fuller to adopt the agenda. All members in attendance voting yes. Motion carried.

Public Input

Councilman Dreher introduced Morris Elcock from SD Rural Water Association. Morris explained that with our membership to the SD Rural Water Association we are eligible for a free water loss investigation. He will work with the City to identify the water loss problem.

Department Updates

Department updates given by Altfillisch, Collins, Luttrell and Stanley. Collins presented a Cougar mosquito sprayer that he would like the council to consider; will revisit next month. Altfillisch stated that repairs are needed to two lift stations and other necessities. Sump pumps need to be removed from the sewer as the sewer station is maxed out. Notices will appear on ITC and the paper.

Councilperson Streff arrived during updates at 7:21 pm.

Motion # 031-2010

Dispatcher Training

Motion by Dreher and seconded by Heim to authorize the Finance Office to close for a couple of hours while Jackie and Rae Jean attend required Dispatch Training for the med van. Date and time are yet to be determined. All members in attendance voting in favor. Motion carried.

Motion # 032-2010

Approve Updates

Motion by Dreher and seconded by Reidburn to approve the department updates. All members in attendance voting in favor. Motion carried.

Motion # 033-2010

Approve Minutes

Motion by Streff and seconded by Heim to approve the Council Meeting Minutes from February 8, 2010. All members in attendance voting in favor. Motion carried.

Motion # 034-2010

Approve Financial Statements

Motion by Fuller and seconded by Reidburn to approve the financial statements. All members in attendance voting in favor. Motion carried.

Motion # 035-2010

Approve Claims

Motion by Dreher and seconded by Streff to approve the following claims. All members in attendance voting in favor. Motion carried.

Paid Claims

Check #	To	For	Amount
18788	Cook's Wastepaper	garbage	\$5,086.46
18789	The US Life Insurance Co.	insurance	\$17.40
18790 - 18804, 18806	Water Dept.	payroll	\$876.74
	Sewer Dept.	payroll	\$876.74
	Govt. Bldg.	payroll	\$84.98
	Streets Dept.	payroll	\$2,424.24
	Finance Office	payroll	\$1,007.21
	Sanitation	payroll	\$360.00
	Library	payroll	\$350.74
	Transit Dept.	payroll	\$509.26
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$808.25
18805	Dacotah Bank	941 taxes	\$2,091.73
18807	Credit Collection Bureau	garnish	\$18.80
18808	Account Management	garnish	\$30.00
18809	Midwest Credits	garnish	\$184.74
18810	SD Retirement Systems	retirement contributions	\$1,981.22
18811	Pitney Bowes	supplies	\$50.53
18812	Alltel	utilities	\$87.74
18813	Wellmark BCBS	insurance	\$3,768.32
18814	Northwestern Energy	utilities	\$6,700.33
18815	AFLAC	insurance	\$228.90
18816	Dacotah Bank	subsidies	\$3,655.42
18817	ITC Rural Economic Dev.	subsidies	\$2,813.54
18818	Cook's Wastepaper	garbage	\$5,087.06
18819 - 18834	Water Dept.	payroll	\$872.98
	Sewer Dept.	payroll	\$872.97
	Govt. Bldg.	payroll	\$93.61
	Streets Dept.	payroll	\$2,039.11
	Finance Office	payroll	\$1,000.53
	Sanitation	payroll	\$312.19
	Library	payroll	\$350.74

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Check #	To	For	Amount
	Transit Dept.	payroll	\$578.10
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$585.91
18835	Dacotah Bank	941 taxes	\$1,889.39
18836	The US Life Insurance Co.	insurance	\$17.40

Additional Claims

To	For	Amount
A&B Business Solutions	maintenance	\$67.35
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.54
Book of the Month Club	books	\$37.98
Caterpillar Financial Services	loan payment	\$24,265.45
City of Clark	utilities	\$34.47
City of Clark	deposit applied to bill	\$189.00
Clark Community Oil	supplies	\$1,868.99
Clark County Courier	advertising	\$80.35
Clark Co. Highway Dept.	supplies	\$2,938.62
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Rural Water	materials	\$10,047.00
Codington Clark Equipment	mower	\$3,300.01
Cook's Wastepaper	utilities	\$39.93
Credit Bureau of Watertown	collection fee	\$23.20
Cross Country Vets	boarding fees	\$98.00
Dacotah Bank	professional fees	\$38.78
Darin Altfillisch	travel	\$33.05
Desnoyers Hardware	supplies	\$209.76
Ecolab	maintenance	\$77.00
Ellwein Brothers	liquor	\$7,420.55
Fjelland Attorney at Law	legal fees	\$503.20
Gruenwald Electric	repairs	\$90.78
ITC	utilities	\$399.57
J&J Heating	repairs	\$83.14
Jeff Clyde	refund	\$11.00
Johnson Brothers	liquor	\$4,624.09
Ken's Food	supplies	\$45.46
Literary Guild	books	\$57.71
M&T Fire & Safety	supplies	\$174.00

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To	For	Amount
Mack's	supplies	\$530.75
Michael Todd & Co.	repairs	\$702.98
Moritz Publishing	supplies	\$124.60
NAPA Auto Parts	supplies	\$94.30
Olson Auto Parts	supplies	\$52.49
Olson Auto Parts	fire dept parts	\$495.11
One Call Systems	locates	\$4.52
Oscar's	repairs	\$20.00
Pioneer Bank & Trust	copier	\$471.00
Pitney Bowes	maintenance	\$105.00
Porter Distributing	liquor	\$2,408.00
ProBuild	supplies	\$24.97
Quill	supplies	\$117.76
Republic National	liquor	\$6,597.13
SD Dept. of Revenue	sales tax	\$0.54
SD Dept. of Revenue	professional fees	\$200.00
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
SD Street Maintenance Assoc.	conference	\$35.00
Share Corp.	supplies	\$168.18
Star Laundry	maintenance	\$104.14
Ted Bethke	maintenance	\$1,070.00
Watertown Rec Center	class	\$150.00
Wayne Manufacturing	supplies	\$417.07
Wellmark BCBS	insurance	\$3,768.32

Motion # 036-2010

Sheriff's Report

Motion by Heim and seconded by Reidburn to approve the sheriff's report. All members in attendance voting in favor. Motion carried.

Motion # 037-2010

Med Van Replacement

Motion by Reidburn and seconded by Dreher to trade in the 1999 Ford Windstar for a 2006 Chrysler Town & Country from Olson Motors for \$10,700 (\$13,500 less \$2,800 trade). All members in attendance voting in favor. Motion carried.

Luttrell showed Council a play system that the Park Board would like purchased for the Swimming Pool Park. The system would be paid out of the \$10,000 restricted funds that the City has set aside for the last two years and donations received from ITC and Northwestern Energy. A SD Community Foundation grant is being applied for and the Clark Lions have committed to pay for the pea rock. Total cost will run about \$14,100.

Motion # 038-2010

Playground Equipment

Motion by Streff and seconded by Reidburn to purchase a playground system from Playworld Systems for \$11,199 (plus shipping and installation at approximately \$2,700) and to pay for the system from the \$11,500 in the Parks Restricted money. All members in attendance voting in favor. Motion carried.

Motion # 039-2010

2009 Annual Financial Statement

Motion by Dreher and seconded by Streff to approve the 2009 Annual Financial Statement and Annual Report as submitted to the State. All members in attendance voting in favor. Motion carried.

Motion # 040-2010

2009 Audit Proposal

Motion by Dreher and seconded by Heim to approve the 2009 Audit Proposal from William Neale & Co. for performing the 2009 audit for \$55.00 per hour, not be exceed \$13,750. All members in attendance voting in favor. Motion carried.

Motion # 041-2010

2010 Dump Rates

Motion by Reidburn and seconded by Streff to approve the 2010 dump rates as shown below. All members in attendance voting in favor. Motion carried.

Pickup load	\$7	Mattress & box spring	\$5
Pickup load – trees	\$5	Washer or Dryer	\$5
Truck load – trees	\$10	Hot water heater	\$5
Truck load – woodchips	\$10	Furnace	\$5
Grass clippings, leaves	Free	Fridge, Freezer, A/C Units:	
Pickup load – shingles	\$15	Freon removed	\$7
Truckload – shingles	\$25	Freon NOT removed	\$25
Truckload – wood	\$20	Bathtub, sink, shower, toilet (porcelain)	\$4
Cement, bricks (first load weighed)	\$5/ton	Bike, exercise equipment, metal lawn chairs,	
Asphalt (first load weighed)	\$5/ton	metal lawn decorations	\$2/unit
Riding lawn mowers	\$5		
Push Mowers, weed-eaters, root tillers .	\$1/unit		
Car fenders, hood, truck lids			
or sheet metal	\$1/unit		
Car or truck motor with no oil	\$5		
Transmission with no oil	\$5		
Car bodies without frame	\$5		
Trailer load of scrap metal (scraps less than			
3 feet long)	\$5		

Will Not Accept

- No farm equipment (tractors, field equipment, etc.)
- No plastic, paper, styrofoam or cardboard
- No fuel barrels of any kind of size
- No raw food products or animal carcass
- No grain or feed produce
- No batteries
- No tires
- No whole trees or parts of trees longer than 20 feet

Motion # 042-2010

Resolution #787

Motion by Heim and seconded by Dreher to approve Resolution #787 A Schedule of Fines for Municipal Code Violations as follows. All members in attendance voting in favor. Motion carried.

RESOLUTION # 787

A RESOLUTION SETTING FORTH A SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE CLARK MUNICIPAL CODE.

BE IF RESOLVED that the following schedule of fines shall be effective as of the date of this Resolution for certain violations for the Clark Municipal Code.

SCHEDULE OF FINES FOR MUNICIPAL CODE VIOLATIONS

<u>Chapter</u> <u>Section</u>	<u>Health & Sanitation Offenses</u>	<u>Fines</u>	<u>Costs</u>	<u>Totals</u>
3.04	Unlawful Deposit in City Dump	100.00	60.00	160.00
3.08	Failure to Help Eradicate Rats Pursuant to Chapter	100.00	60.00	160.00
3.10	Maintaining Weeds, Trees, Vegetation & General Nuisances	100.00	60.00	160.00
3.12	Failure to remove abandoned, wrecked, dismantled or inoperable motor vehicles	100.00	60.00	160.00
<u>Chapter</u> <u>Section</u>	<u>Animal Offenses</u>	<u>Fines</u>	<u>Costs</u>	<u>Totals</u>
4.04	Allowing domestic animal to run at large	25.00	60.00	85.00
4.06	Permitting domestic animal on school ground when school is in session or public recreation area without leash	50.00	60.00	110.00
4.08	Failure to immunize domestic animal for rabies	100.00	60.00	160.00
4.10	Failure of owner to place animal for observation	100.00	60.00	160.00
4.12	Failure to control vicious animal – <i>Fine per day:</i>	100.00	60.00	160.00
4.14	Disturbance of peace by animal:			
	<i>1st Offense:</i>	25.00	60.00	85.00
	<i>2nd Offense:</i>	50.00	60.00	110.00
	<i>3rd and Subsequent Offenses:</i>	100.00	60.00	170.00
4.16	Maintaining a dog kennel – animal disturbing public	50.00	60.00	110.00

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4.18	Cruelty to animals	100.00	60.00	160.00
4.20	Harboring or keeping stray animals within City	50.00	60.00	110.00
4.22	Unlawfully keeping livestock within City	100.00	60.00	160.00
4.24	Violation of this Chapter Re: Keeping animals other than dogs within the City	100.00	60.00	160.00
4.26	Animal defecation on public or other person's private property	100.00	60.00	160.00
4.30	Failure to license domestic animals	50.00	60.00	110.00

<u>Chapter</u>	<u>Public Safety Offenses</u>	<u>Fines</u>	<u>Costs</u>	<u>Totals</u>
<u>Section</u>				

5.0218	Attempt by underage person to purchase alcoholic beverage	50.00	60.00	110.00
5.0220	Misstatement as to age for purpose of purchasing any alcoholic beverage	50.00	60.00	110.00
5.0222	Open container (alcoholic beverage)	50.00	60.00	110.00
5.0402	Using, throwing, lighting, firing, displaying or selling fireworks within the City	100.00	60.00	160.00
5.06	Failure to abide by curfew	25.00	60.00	85.00
5.10	Discharging firearm, slingshots, air guns, bows and arrows in City limits and carrying concealed weapon	100.00	60.00	160.00
5.1402	Resisting and officer	100.00	60.00	160.00
5.1406	Refusing to obey the command of an officer	100.00	60.00	160.00
5.1802	Malicious Mischief	100.00	60.00	160.00
5.1812	Injury or removal of public or private property	100.00	60.00	160.00
5.1814	Tampering in general	100.00	60.00	160.00

<u>Chapter</u>	<u>Streets and Public Way Offenses</u>	<u>Fines</u>	<u>Costs</u>	<u>Totals</u>
<u>Section</u>				

6.0202	Parking or vehicles prohibited where posted	50.00	57.50	107.50
6.04	Sidewalks, curbs and gutters, merchandise, rubbish, snow and ice	50.00	60.00	110.00
6.0806	Duty of property owners re: trees	50.00	60.00	110.00
6.0808	Abuse of trees	50.00	60.00	110.00

<u>Chapter</u>	<u>Traffic Offenses</u>	<u>Fines</u>	<u>Costs</u>	<u>Totals</u>
<u>Section</u>				

7.0608	Illegally making a "U" turn	25.00	60.00	85.00
7.0610	Failure to yield right-of-way	50.00	60.00	110.00

City Council Meeting – March 15, 2010

7.0632	Careless Driving, Careless Driving with drinking involved, Exhibition Driving	50.00	60.00	110.00
7.08	Parking – Violation of any part of this Chapter	50.00	57.50	107.50
7.1002	Speeding:			
	<i>1 – 5 MPH Over Speed Limit</i>	15.00	60.00	75.00
	<i>6 – 10 MPH Over Speed Limit</i>	25.00	60.00	85.00
	<i>11 – 15 MPH Over Speed Limit</i>	45.00	60.00	105.00
	<i>16 + MPS Over Speed Limit</i>	65.00	60.00	125.00
7.1004	School Zone Violation	100.00	60.00	160.00
7.32	Snowmobiles – Violation of any provision of this Chapter	75.00	60.00	160.00
7.34	Three wheel or all terrain vehicles - Violation of any provision of this Chapter	100.00	60.00	160.00
<u>Chapter</u>	<u>Traffic Offenses</u>	<u>Fines</u>	<u>Costs</u>	<u>Totals</u>
<u>Section</u>				
8.06	Transient merchant/peddler failure to have approved license	100.00	60.00	160.00

This Resolution in no way shall preclude the City of Clark from seeking greater punishment or addition punishment for the above listed offenses where the Clark Municipal Code or South Dakota Codified Law allows.

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

Passed and Adopted this 15th day of March, 2010.

Eric Stevens, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell
City Finance Officer
(S E A L)

* * * * *

Councilman Pollock arrived at the meeting at 7:57 pm.

Ordinance #488

Council heard the first reading of Ordinance #488 An ordinance to replace Title 12 – General Provisions, Chapter 12.99 – Penalty”, of the Clark Municipal Code.

At this time Kyle Gaikowski addressed the Council regarding last month’s mower trade.

Council discussed attending the District Meeting in DeSmet instead of Wilmot. Luttrell will get interested individuals registered.

Motion # 043-2010

Transient Permit

Motion by Dreher and seconded by Pollock to retroactively approve the Transient permit by John Osborn for March 5 and 6 at the American Legion. All members voting yes. Motion carried.

Council discussed revising the current transient permit application process to allow permits to be issued without council approval. Will revisit at next meeting.

Motion # 044-2010

April Meeting

Motion by Dreher and seconded by Reidburn to set the April Council Meeting for April 8, 2010 at 7 pm. All members voting yes. Motion carried.

Motion # 045-2010

Executive Session

Motion by Heim and seconded by Dreher to enter into executive session for contractual and personnel issues. All members voting yes. Motion carried.

Executive session began at 8:14 pm and ended at 8:35 pm.

Motion # 046-2010

Pool Employees

Motion by Reidburn and seconded by Dreher approve the following employees for the 2010 pool season: Renae Mudgett, Manager \$8.50/hour; Sara Hoogheem, Assistant Manager \$8.25/hour; Tara DesLauriers, Emma Adam, Levi Petersen and Carly DesLauriers as lifeguards at \$7.50/hour; Brooklyn Bjerke, Chase Monson and Kendra Stromsness as lifeguards at \$7.25/hour. All members voting yes. Motion carried.

Motion # 047-2010

Teener Coach

Motion by Streff and seconded by Heim to offer the Teener coaching job to Dave Adam at a pay of \$2,000 for the season, plus mileage to away games at state rates. All members voting yes. Motion carried.

Motion # 048-2010

Dump Attendant

Motion by Dreher and seconded by Reidburn to hire Ronnie Schorg as the dump attendant for \$8.31/hour. All members voting yes. Motion carried.

Motion # 049-2010

Summer Rec Coach

Motion by Dreher and seconded by Heim to advertise for summer rec coaches for \$7.50/hour. All members voting yes. Motion carried.

Motion # 050-2010

Adjourn

Motion by Fuller and seconded by Streff to adjourn the meeting. All members voting yes. Motion carried.

Meeting adjourned at 8:37 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Board of Adjustment Meeting
April 8, 2010
7:45 PM

Call to order: The Clark City Council met in session on April 8, 2010 at 7:45 pm in the City Hall Council Room to hear a variance request from Clark County Famers Elevator.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Jeff Olson and Janet Caster.

Mayor Stevens called the meeting to order at 7:45 pm.

Clark County Farmers Elevator has applied for a variance request to relax the zoning height to allow for a 69' grain bin and relax the zoning minimum yard requirement to allow minimum front yard within 50' in the Industrial zoned property: Lots 1-3 & 16 & Except S 6' of Lot 4 Block 1 Subdivision of Outlot D City of Clark & Lots 4, 5 & 9 Commercial Smith Addition in City of Clark.

Jeff Olson was present on behalf of the elevator. Adjacent landowner Janet Caster voiced her concerns.

Luttrell stated the necessary paperwork and fees have been filed with the Finance Office. Applicant meets the requirements of 11.17.03.1.E.

Motion by Reidburn and seconded by Fuller to approve the variance for Clark County Famers Elevator as stated. Voting in favor: Reidburn, Fuller, Heim, Pollock and Streff. Dreher abstained. Motion carried.

Board of Adjustment meeting ended at 7:55 pm and regular council meeting reconvened.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
April 8, 2010
7:00 PM**

Call to order: The Clark City Council met in session on April 8, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Darin Altfillisch, Roger Collins, Loren Stanley, Bill Krikac and Kathy Roebke.

Mayor Stevens called the meeting to order at 7:00 pm.

Motion # 051-2010

Adopt Agenda

Motion by Fuller and seconded by Streff to adopt the agenda. All members voting yes. Motion carried.

Public Input

Kathy Roebke addressed the council regarding a drainage issue in the ditch in front of her property on 7th Ave. SE. Roger Collins informed council of the things he's already tried to alleviate the drainage problem and discussed other options that will be pursued once it dries up.

Department Updates

Department updates given by Altfillisch, Collins, Luttrell and Stanley.

Motion # 052-2010

Water School

Motion by Pollock and seconded by Dreher to approve Darin Altfillisch to attend Water School on April 22, 2010 in Watertown. All members voting yes. Motion carried.

Motion # 053-2010

Mosquito Sprayer

Motion by Fuller and seconded by Reidburn to purchase a Cougar mosquito sprayer with smart flow for \$10,360. All members voting yes. Motion carried.

Sidewalk Replacement Project

Council agreed to continue the sidewalk replacement project started last year. One change from last year is residents will be charged dumping fees. City will continue to remove the old sidewalk and provide gravel for free.

Gravel Requests

Collins informed Council that he would like to stop providing gravel for resident’s personal use. Residents requesting gravel will be directed to local businesses.

Motion # 054-2010

Street Assoc. Meeting

Motion by Heim and seconded by Reidburn to approve Roger Collins to attend the SDML Street Association meeting next week in Pierre. All members voting yes. Motion carried.

Motion # 055-2010

Finance Officer School

Motion by Heim and seconded by Dreher to approve Rae Jean Flora and Jackie Luttrell to attend Finance Officer School in Mitchell on June 16-18. All members voting yes. Motion carried.

Job Descriptions

Council has asked employees to write up their job descriptions.

Motion # 056-2010

Approve Minutes

Motion by Pollock and seconded by Heim to approve the Council Meeting and Board of Adjustments meeting minutes from March 15, 2010 All members voting yes. Motion carried.

Motion # 057-2010

Approve Financial Statements

Motion by Fuller and seconded by Reidburn to approve the financial statements. All members voting yes. Motion carried.

Motion # 058-2010

Approve Claims

Motion by Streff and seconded by Dreher to approve the following claims. All members voting yes. Motion carried.

Additional March Claims

Check #	To	For	Amount
18886	Olson Motor Co.	vehicle	\$10,700.00
18887	Alltel	utilities	\$87.66
18888-18903	Water Dept.	payroll	\$870.79
	Sewer Dept.	payroll	\$870.79
	Govt Bldg.	payroll	\$93.61
	Streets Dept.	payroll	\$2,059.83
	Finance Office	payroll	\$1,000.53
	Sanitation Dept.	payroll	\$317.71
	Transit Dept.	payroll	\$550.45
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$317.72
	18904	Dacotah Bank	941 taxes
18905	SD Retirement Systems	retirement	\$1,875.62
18906	VOID		
18907	Account Management	garnish	\$30.00
18908	Midwest Credits	garnish	\$184.74
18909	Credit Collections Bureau	garnish	\$18.80

City Council Meeting – April 8, 2010

Check #	To	For	Amount
18910	Petty Cash	supplies	\$102.20
18911	The US Life Insurance Co.	insurance	\$17.40
18912	SD Division of Motor Vehicles	license	\$5.00
18913	SD Municipal League	conference	\$140.00

Additional April Claims

Check #	To	For	Amount
18914	Dacotah Bank	subsidies	\$3,655.42
18915	ITC Rural Economic Dev.	subsidies	\$2,813.54
18916	Pitney Bowes	supplies	\$570.99
18917	Northwestern Public Service	utilities	\$6,785.46
18913 - 18933	Water Dept.	payroll	\$889.05
	Sewer Dept.	payroll	\$889.05
	Govt Bldg.	payroll	\$93.61
	Streets Dept.	payroll	\$2,019.43
	Sanitation Dept.	payroll	\$1,000.53
	Library	payroll	\$350.74
	Transit	payroll	\$601.41
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$306.68
18934	Dacotah Bank	941 taxes	\$1,858.50
18935	AFLAC	insurance	\$228.90
18936	Cook's Wastepaper	garbage collection	\$5,097.38

New April Claims

To	For	Amount
A&B Business	maintenance	\$69.98
American Family Insurance	insurance	\$8.00
A-Tech	repairs	\$2,465.00
A-OX Welding	supplies	\$10.54
Banyon Data Systems	maintenance	\$1,540.00
Book of the Month Club	books	\$62.95
Butler	parts	\$709.98
City of Clark	utilities	\$71.40
Clark Community Oil	supplies	\$1,151.84
Clark Co. Treasurer	police protection	\$8,165.00
Clark County Courier	advertising	\$520.51
Clark County Historical Society	subsidies	\$560.00
Clark Rural Water	materials	\$10,914.00
Clausen Construction	supplies	\$1,312.50
Colonial Research	supplies	\$498.75
Cook's Wastepaper	utilities	\$39.93

City Council Meeting – April 8, 2010

To	For	Amount
Dacotah Bank	professional fees	\$26.73
Dakota Pump & Control	repairs	\$3,615.84
Desnoyers Hardware	supplies	\$226.73
Ellwein Brothers	liquor	\$7,166.40
First National Bank	SRF loan	\$6,940.29
Fjelland Law Office	legal fees	\$244.00
Forest Excavating	supplies	\$2,056.32
ITC	utilities	\$402.40
Itron	maintenance	\$580.44
Jackie Luttrell	mileage	\$6.66
Johnson Brothers	liquor	\$9,465.42
Ken's	supplies	\$5.65
Literary Guild	books	\$57.71
Mack's Standard	supplies	\$368.95
Midwest Alarm Co.	professional fees	\$261.25
Midwest Playscapes	equipment	\$13,165.26
Moritz Publishing	supplies	\$120.20
NAPA Auto Parts	supplies	\$298.82
Olson Auto Parts	supplies	\$43.49
One Call Systems	locates	\$9.04
Oscar's Machine Shop	supplies	\$907.75
Porter Distributing	liquor	\$3,372.70
ProBuild	supplies	\$186.54
Republic National	liquor	\$6,702.61
SD Dept of Revenue	professional fees	\$200.00
SD Dept of Revenue	sales tax	\$4.10
SD Govt. Finance Officer Assoc	registration	\$150.00
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
Share Corp.	supplies	\$4,555.14
Star Laundry	maintenance	\$53.41
USA Blue Book	repairs	\$827.36
Watertown Ford	repairs	\$1,021.73
Watertown Rec Center	professional fees	\$330.00
Westside Implement	supplies	\$510.75

Motion # 059-2010

Sheriff's Report

Motion by Heim and seconded by Pollock to approve the Sheriff's report. All members voting yes. Motion carried.

Motion # 060-2010

Arbor Day

Motion by Dreher and seconded by Reidburn to declare April 30, 2010 as Arbor Day. All members voting yes. Motion carried.

Board of Adjustment Public Hearing

At 7:45 pm, being the published time and place for the Board of Adjustment meeting, the regular council meeting broke to hear a variance request from Clark County Farmers Elevator. Council meeting reconvened at 7:55 pm.

Outfall Line Project & Cloud Street Sewer Line Update

Altfillisch would like the council to consider replacing or relining the sewer line on Cloud Street (Hwy 212 to 5th Avenue) and turning east on 5th Avenue to tie in with the new line that was replaced in 2009 to the sewer plant. Clark Engineering cost estimates were provided for two options. Option 1 for full water, sewer and street replacement would cost approximately \$875,000. Option 2 would reline or cure-in-place the 12” line except for two known problem areas for approximately \$267,000. This project would be in addition to the outfall line project now estimated at \$218,700; original estimate was \$441,400. This project would be an add-on to the outfall line project. The original consolidated grant approved \$100,000 funding agreement. A directive was needed from council before proceeding.

Motion # 061-2010

Reline Sewer Line

Motion by Dreher and seconded by Reidburn to approve Option 2 to reline or cure-in-place the sewer from Cloud Street (starting at Hwy 212) south to 5th Avenue, turning east to connect into the replaced sewer line in 2009 and add this on to the Outfall Line Project. All members voting in favor. Motion carried.

Motion # 062-2010

Department Updates

Motion by Dreher and seconded by Streff to approve the department updates. All members voting in favor. Motion carried.

Motion # 063-2010

Resolution # 788

Motion by Streff and seconded by Heim to approve Resolution #788 that replaces Resolution #782. All members voting yes. Motion carried.

RESOLUTION # 788

WHEREAS, the City of Clark has identified the need to construct improvements to the City’s sewer and water systems; and

WHEREAS, the City of Clark proposes to undertake the necessary improvements;

THEREFORE, BE IT RESOLVED that the Clark City Council duly authorizes the Mayor to execute and submit a Rural Development full application requesting Rural Development funds for the proposed project.

This resolution is effective immediately upon passage.

Adopted this 8th day of April, 2010.

Eric Stevens, Mayor

ATTEST:

Jackie Luttrell, Finance Officer

Motion # 064-2010

Ordinance #488

Motion by Fuller and seconded by Reidburn to approve Ordinance #488 Chapter 12.99 Penalty. All members voting yes. Motion carried.

ORDINANCE # 488

AN ORDINANCE TO AMEND TITLE 12, CHAPTER 12.99 OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 12 – General Provisions, Chapter 12.99 – Penalty”, of the Clark Municipal Code be amended to read in its entirety as follows:

“Chapter 12.99
Penalty

Section
12.9902

12.9902 PENALTY

Except in cases where a different or additional penalty is imposed by this ordinance or by some existing provision of law, every violation of any of the provisions of this ordinance including any violation classification as a “misdemeanor”, shall be punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment for a period not exceeding thirty (30) days, or by both such fine and imprisonment. Insofar as practical, punishment is set out in a Chapter or Section at the close of a Title or Chapter, always numbered “99”.”

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance previously adopted.

Eric Stevens, Mayor

ATTEST:
Jackie Luttrell
City Finance Officer

Motion # 065-2010 **Sportsman Operating Agreement**

Motion by Pollock and seconded by Fuller to renew the liquor operating agreement with Sportsman Bar. All members voting yes. Motion carried.

Motion # 066-2010 **Time Out Agreement**

Motion by Heim and seconded by Dreher to renew the liquor operating agreement with Time Out. All members voting yes. Motion carried.

Motion # 067-2010 **Library 2009 Report**

Motion by Pollock and seconded by Reidburn to approve the Library's 2009 Annual Report. All members voting yes. Motion carried.

Motion # 068-2010 **Library 1st Qtr Financial Statement**

Motion by Streff and seconded by Heim to approve the Library's 1st Quarter Financial Statement. All members voting yes. Motion carried.

Motion # 069-2010 **Summer Rec Rates**

Motion by Dreher and seconded by Reidburn to approve the 2010 summer rec rates as follows. All members voting yes. Motion carried.

Swimming Pool:	Family Pass \$100 includes swim pass and lessons for 2 kids
	Family Pass \$75 includes swim pass only, no lessons
	Individual Pass: \$60 swim pass and lesson for one
	Individual Lesson: \$25 per lesson
	Adult Daily Pass: \$3.00
	Student Daily Pass: \$2.00
	5 and under Free
Softball/Baseball:	\$25 per child

Motion # 070-2010 **Mowing Opt Out**

Motion by Heim and seconded by Streff to approve Kelli Kritz's opt out mowing request as the grass will be baled. All members voting yes. Motion carried.

May Meeting

The May City Council Meeting will be held on May 3, 2010 at 7:00 pm.

Motion # 071-2010 **Executive Session**

Motion by Dreher and seconded by Reidburn to enter into executive session for contractual and personnel issues. All members voting yes. Motion carried.

Executive session began at 8:25 pm and ended at 8:36 pm.

Coaches Needed

There were no applicants for the summer rec coaching positions. Will advertise again and if no one applied, there is a chance that there will not be a summer rec program this year.

Motion # 072-2010

Dickinson Park Concessions

Motion by Heim and seconded by Dreher to renew the Dickinson Park concession stand contract with Lonna DesLauriers. All members voting yes. Motion carried.

Motion # 073-2010

Landfill Assistant

Motion by Pollock and seconded by Fuller to approve Bud Temple as the landfill assistant at a pay of \$8.05/hour. All members voting yes. Motion carried.

Motion # 074-2010

Adjourn

Motion by Fuller and seconded by Streff to adjourn. All members voting yes. Motion carried. Meeting adjourned at 8:37 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
May 3, 2010
7:00 PM**

Call to order: The Clark City Council met in session on May 3, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Paul Fuller (arriving at 7:04 pm), Louann Streff (left at 7:55), Roberta Heim, John Pollock and Lon Reidburn. Absent Larry Dreher.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Darin Altfillisch, Roger Collins, Loren Stanley, Bill Krikac, Greg Furness and Fred Obermeier.

Mayor Stevens called the meeting to order at 7:00 pm.

Motion # 075-2010

Adopt Agenda

Motion by Pollock and seconded by Reidburn to adopt the agenda. All members voting yes. Motion carried.

Public Input

Greg Furness and Fred Obermeier addressed the council on the needs for Dickinson Park for the baseball season and the upcoming state Teener tournament in August.

Department Updates

Updates given by Altfillisch, Stanley, Collins and Luttrell. Luttrell advised of Safety Benefits visit this past week and discussed options for health insurance renewal.

Motion # 076-2010

Pool Heater

Motion by Fuller and seconded by Pollock to approve the purchase of a new pool heater at a cost of \$19,969.42 from Girton Adam Company. All members voting yes. Motion carried.

Motion # 077-2010

Water Meters

Motion by Streff and seconded by Reidburn to proceed with the Rural Development application for the water meter upgrade project at a cost of \$120,800.00 to finish citywide auto readers and new water meters. All members voting yes. Motion carried.

Being 7:30 pm, the time advertised to open bids for garbage collection and backhoe services, council proceeded to opening bids. One bid was received for each.

Motion # 078-2010

Garbage Collection

Motion by Pollock and seconded by Streff to accept the bid from Cook's Wastepaper and Recycling at the same rate as last year, \$10.00 per cart per household per month, plus \$5 for additional cart, plus city share of \$0.30 and tax. All members voting yes. Motion carried.

Motion # 079-2010

Backhoe Bid

Motion by Pollock and seconded by Heim to accept the bid from Forest Excavating for back hoe services at a rate of \$90/hour for operator and backhoe, plus \$50 for extra man. All members voting in favor. Motion carried.

Department updates continued along with review of the Sheriff’s report.

Motion # 080-2010

Approve Department Updates

Motion by Heim and seconded by Fuller to approve the department updates. All members voting yes. Motion carried.

Motion # 081-2010

Approve Minutes

Motion by Reidburn and seconded by Pollock to approve the Council and Board of Adjustment Meeting Minutes from April 8, 2010. All members voting yes. Motion carried.

Motion # 082-2010

Approve Financial Statements

Motion by Heim and seconded by Fuller to approve the financial statements. All members voting yes. Motion carried.

Motion # 083-2010

Approve Claims

Motion by Pollock and seconded by Reidburn to approve the following claims. All members voting yes. Motion carried.

Additional April Claims

#	To	For	Amount
18982	Alltel	utilities	\$93.55
18983	Roger Collins	meals	\$23.00
18984-19000	Water Dept.	payroll	\$890.96
	Sewer Dept.	payroll	\$890.97
	Govt. Bldg.	payroll	\$93.61
	Streets Dept.	payroll	\$2,053.25
	Finance Dept.	payroll	\$1,018.07
	Sanitation	payroll	\$634.51
	Library	payroll	\$350.74
	Transit	payroll	\$585.09
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$312.20
19001	Dacotah Bank	941 taxes	\$1,949.80
19002	Account Mngt.	garnish	\$30.00
19003	Credit Collection Bureau	garnish	\$18.80
19004	Midwest Credits	garnish	\$184.74
19005	Wellmark BCBS	insurance	\$3,768.32
19006	SD Retirement Systems	retirement	\$1,895.82
19007	Best Western Ramkota	conference	\$82.99
19008	John Howardson	reissued check	\$46.17

City Council Meeting – May 3, 2010

#	To	For	Amount
19009	John Howardson	reissued check	\$46.17
19010 - 19027	Water Dept.	payroll	\$929.39
	Sewer Dept.	payroll	\$929.38
	Govt. Bldg.	payroll	\$93.61
	Streets Dept.	payroll	\$2,102.66
	Finance Dept.	payroll	\$1,000.53
	Sanitation	payroll	\$706.66
	Library	payroll	\$350.74
	Transit	payroll	\$597.32
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$306.68
19028	Dacotah Bank	941 taxes	\$2,011.43
19029	AFLAC	insurance	\$228.90

New Claims

To	For	Amount
American Family Insurance	insurance	\$8.00
Clark Co. Farmers Elevator	supplies	\$32.21
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Hometown Variety	supplies	\$105.64
Codington-Clark Equipment	supplies	\$6.99
Dacotah Bank	loan payment	\$3,655.42
Darin Altfillisch	mileage	\$23.68
Desnoyers Hardware	supplies	\$708.18
Fjelland Law Office	legal fees	\$316.00
Gaylord Bro.	supplies	\$128.06
Huron Culvert & Tank	supplies	\$434.00
ITC	utilities	\$399.25
ITC Rural Economic Dev.	loan payment	\$2,813.54
Johnson Brothers	liquor	\$6,634.36
JB Repair	repairs	\$543.74
Lyle Signs	supplies	\$56.39
Mack's Standard	supplies	\$770.25
NAPA Auto Parts	supplies	\$421.28
Northwestern Energy	utilities	\$5,790.61
Petty Cash	supplies	\$92.25
Pitney Bowes	supplies	\$91.99
Quill	supplies	\$243.96
SD Association of Rural Water	professional fees	\$410.00
SD Dept of Revenue	professional fees	\$200.00
SD Rural Development	revenue bond	\$787.00

City Council Meeting – May 3, 2010

To	For	Amount
SD Rural Development	revenue bond	\$908.00
Share Corp.	supplies	\$56.09
Sharp Automotive	repairs	\$349.18
Star Laundry	maintenance	\$53.41
The Tree Farm	supplies	\$524.80
Ulverscroft Large Print Books	books	\$133.38
Woodring Plumbing	repairs	\$55.08

Motion # 084-2010

2010 Appointments

Motion by Heim and seconded by Pollock to approve the 2010 Appointments. All members voting yes. Motion carried.

**Year 2010
Mayor Eric Stevens Appointments**

Streets, Alleys, Sidewalks	Larry Dreher
American Disabilities Act.....	Roberta Heim
Pool.....	Larry Dreher
Rubble Site	Louann Streff
City Parks.....	Louann Streff
Water & Sewer	John Pollock
Fire Dept. & Emergency Management	Roberta Heim
Zoning Officer.....	Lon Reidburn
Finance Dept.....	Paul Fuller
Liquor Officer.....	Paul Fuller
Med Van.....	Roberta Heim
Recreation Director, Softball & Baseball Complex.....	Lon Reidburn
Government Buildings	Lon Reidburn
City Attorney	Chad Fjelland
Health Officer	Jason Coenen
Finance Officer.....	Jackie Luttrell

Library Board (3 year term)
 Joyce Warren – 2013 (renew)
 Bev Kluess – 2013 (renew)
 Carolyn Harding –2012
 Marlys Moritz – 2011
 Patti Lamb – 2011

Park Board
 Carmen Kloster
 Dorcas Protexter
 Rae Jean Flora

Clark Housing & Redevelopment Board (5 year term)
 Bruce Brekke – 2014 Jerry Jacobson – 2015 (renew)
 Bill Krikac – 2013 Teresa Kaufman - Secretary
 Sandy Altfillisch – 2012 Bob Schlueter – 2011

Motion # 085-2010

Council President

Motion by Heim and seconded by Reidburn to re-elect Larry Dreher as Council President. All members voting yes. Motion carried.

Motion # 086-2010

Council Vice President

Motion by Heim and seconded by Pollock to re-elect Lon Reidburn as Council Vice President. All members voting yes. Motion carried.

Motion # 087-2010

Baling East Pasture

Motion by Pollock and seconded by Heim to bid out the hay baling for the East Pasture. All members voting yes. Motion carried.

Motion # 088-2010

Malt Beverage Licenses

Motion by Fuller and seconded by Reidburn to approve the malt beverage licenses for the Clark Legion and Clark Lanes. All members voting yes. Motion carried.

First Reading Ordinance # 489 Golf Carts

Council discussed the first reading of the golf cart ordinance to require permits to operate a golf cart on city streets.

Nuisance Properties

Council heard a written complaint from Wayne Altfillisch and William Krikac on a nuisance property at N. Idaho Street and discussed proceeding with abating nuisance properties throughout the city.

Legion Donation

No action was taken at this time on the request from the Clark American Legion for a donation to support the baseball program.

Motion # 089-2010

Executive Session

Motion by Heim and seconded by Reidburn to enter into executive session for contractual and personnel issues. All members voting yes. Motion carried.

Executive session began at 8:14 pm and ended at 8:42 pm.

Motion # 090-2010

Summer Rec Coaches

Motion by Pollock and seconded by Heim to hire Brandi Harrington, Samantha Luttrell and Hannah Steffen as the summer rec coaches at a pay of \$7.25/hour. Sam Hartley has volunteered to coach the midgets and council accepted his offer. All members voting yes. Motion carried.

Motion # 091-2010

Summer Mowing/Parks Help

Motion by Fuller and seconded by Reidburn to hire Brandon Varilek to mow and maintain the baseball and softball fields at a pay of \$8.50/hour. All members voting yes. Motion carried.

Motion # 092-2010

Adjourn

Motion by Fuller and seconded by Reidburn to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:43 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting
June 7, 2010
7:00 PM

Call to order: The Clark City Council met in session on June 7, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Darin Altfillisch, Roger Collins, Terry Binger, Bruce Brekke, Bob Bjerke, Dave Boehnke and Melissa Altfillisch.

Mayor Stevens called the meeting to order at 7:00 pm.

Motion # 093-2010

Adopt Agenda

Motion by Streff and seconded by Pollock to adopt the agenda. All members voting yes. Motion carried.

Public Input

Bruce Brekke was in attendance asking for financial assistance for the Legion baseball league. Terry Binger addressed the council about moving an older model trailer into his trailer court from a residential location in town. Fjelland and Luttrell will follow up with Terry on whether a variance is necessary.

Motion # 094-2010

Legion Baseball

Motion by Streff and seconded by Reidburn to give \$1,500 to the Clark American Legion in support of their baseball program. All members voting yes. Motion carried.

Motion # 095-2010

Health Insurance Renewal

Motion by Fuller and seconded by Dreher to renew the Wellmark Health plan and do a 50/50 split of the increased deductible and out of pocket expense. Members voting yes were Dreher, Fuller, Pollock and Streff. Opposed Reidburn and Heim.

Motion # 096-2010

Executive Session

Motion by Dreher and seconded by Streff to enter into executive session to discuss the baling bid. All members voting yes. Motion carried.

Executive session lasted 5 minutes.

Baling Auction for East Pasture

Mayor Stevens opened up the bidding for baling the East Pasture at \$250. Bob Bjerke offered \$250 and no other bids were offered.

Motion # 097-2010

Resolution # 789 Baling East Pasture

Motion by Dreher and seconded by Heim to approve the following Resolution. All members voting yes. Motion carried.

RESOLUTION # 789

A RESOLUTION TO AUTHORIZE THE LEASE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO ROBERT BJERKE, AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE LEASING OF SAID REAL ESTATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

WHEREAS, the City of Clark owns real estate legally described as follows:

A tract of land commonly known and described as the "East Pasture". This tract contains approximately 25 acres and is bordered on the North by Potato Products Addition Lot One, on the West by the Builder's Outlots, on the South by various private property and on the East by the quarter line; and,

Lamb's Addition in the Southeast Quarter (SE ¼) of Section Six (6) , Township One Hundred Sixteen (116) North, of Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota (containing approximately 4.33 acres).

WHEREAS, Robert Bjerke desires to lease the above-described property from the City of Clark for the exclusive purpose of producing hay;

WHEREAS, the City of Clark desires to lease a portion of the above described property to Robert Bjerke.

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, South Dakota, forthwith enter a contract for the lease of the above-referenced real estate, upon those terms and conditions, and for the consideration as contained in the draft lease agreement on file with the City Finance Office;

AND BE IT FURTHER RESOLVED, that Eric Stevens, Mayor the City of Clark, is hereby authorized and directed to execute all documents and take whatever other action he may deem necessary to consummate the lease of above described real estate for the consideration in this Resolution.

Eric Stevens, Mayor
City of Clark, South Dakota

ATTEST: _____
Jackie Luttrell, Finance Officer

Motion # 098-2010

Safety Manual

Motion by Pollock and seconded by Reidburn to approve the Safety Manual. All members voting yes. Motion carried.

Cisterns

Council agreed to offer filling in cisterns at no cost. Residents can contact city hall to arrange work.

Tire Recycling

Considerations were made on having a tire collection program; will instead refer inquiries to the local gas stations that already have a program.

Department updates given by Luttrell, Collins and Altfillisch.

Motion # 099-2010

Approve Department Updates

Motion by Dreher and seconded by Reidburn to approve the department updates. All members voting yes. Motion carried.

Joint City Council & Planning Commission Meeting

The City Council, having published a public notice, entered a joint public hearing between the City Council and Planning Commission to hear comments regarding Ordinance #490, An ordinance amending Ordinance #485, by amending Chapters 11.07.04, 11.08.04, 11.09.04 and 11.10.04 in Title 11 Zoning of the Clark Municipal Code. No citizens were present to voice comments on the ordinance.

Motion # 100-2010

Joint Public Hearing

Motion by Dreher and seconded by Reidburn to enter the Joint Public Hearing for the Council and Planning Commission. All members voting yes. Motion carried. Hearing began at 7:54 pm.

Motion # 101-2010

Ordinance Recommendation

Motion by Heim and seconded by Fuller to recommend approval of Ordinance # 490 – An ordinance amending Title 11 – Zoning to the Clark City Council. All members voting yes. Motion carried.

Joint hearing ended at 7:55 pm, and the regular city council reconvened.

Motion # 102-2010

Approve Recommendation

Motion by Heim and seconded by Fuller to approve the Planning Commission's recommendation to adopt Ordinance #490. All members voting yes. Motion carried.

First reading of Ordinance #490 was had.

Motion # 103-2010

Approve Minutes

Motion by Pollock and seconded by Streff to approve the Council Meeting Minutes from May 3, 2010. All members voting yes. Motion carried.

Motion # 104-2010

Approve Financial Statements

Motion by Fuller and seconded by Heim to approve the financial statements. All members voting yes. Motion carried.

Motion # 105-2010

Approve Claims

Motion by Reidburn and seconded by Pollock to approve the following claims. All members voting yes. Motion carried.

Additional May Claims

Check #	To	For	Amount
326	Dacotah Bank	professional fees	\$31.00
327	City of Clark	utilities	\$50.88
328	SD Dept. of Revenue	sales tax	\$17.77
19060	Ellwein Brothers	liquor	\$14,165.40
19061	Porter Distributing	liquor	\$3,167.30
19062	Cook's Wastepaper	garbage	\$39.93
19063	Clark Rural Water	materials	\$12,780.60
19064	VOID		
19065	Van Diest Supply	equipment	\$10,266.00
19066	Republic National	liquor	\$10,058.55
19067	Cook's Wastepaper	garbage	\$5,139.86
19068	The US Life Insurance	insurance	\$17.40
19069-19092	Water Dept.	payroll	\$902.49
	Sewer Dept.	payroll	\$902.49
	Govt. Bldg.	payroll	\$93.61
	Pool	payroll	\$59.68
	Streets	payroll	\$2,133.85
	Finance Office	payroll	\$1,000.53
	Sanitation	payroll	\$702.70
	Library	payroll	\$378.44
	Transit	payroll	\$523.95
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$390.17
19093	Dacotah Bank	941 taxes	\$2,036.54
19094	Wellmark BCBS	insurance	\$3,768.32
19095	alltel	utilities	\$87.98
19096	YMCA Aberdeen	classes	\$480.00
19097	SD Dept. of Revenue	malt beverage license	\$300.00
19098	Angie O'Neal	refund	\$25.00
19099	Petty Cash	supplies	\$72.74
19100 - 19129	Water Dept.	payroll	\$1,073.27
	Sewer Dept.	payroll	\$1,073.27

City Council Meeting – June 7, 2010

Check #	To	For	Amount
	Govt. Bldg.	payroll	\$93.61
	Pool	payroll	\$971.42
	Streets	payroll	\$2,057.10
	Finance Office	payroll	\$1,272.58
	Sanitation	payroll	\$777.26
	Library	payroll	\$350.74
	Transit	payroll	\$557.07
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$805.59
	Teeners	payroll	\$263.86
19130	Dacotah Bank	941 taxes	\$2,533.05
19131	SD Retirement Systems	retirement contributions	\$2,935.00
19132	Account Management	garnish	\$45.00
19133	Credit Collections Bureau	garnish	\$28.20
19134	Midwest Credits	garnish	\$277.11
19135 - 19140	Council	payroll	\$1,985.58
19141	Dacotah Bank	941 taxes	\$468.84
19142	Brandon Varilek	payroll	\$29.78
19143	Dacotah Bank	941 taxes	\$4.94
19144	Dacotah Bank	subsidies	\$3,613.41

June Claims

To	For	Amount
3D Specialties	supplies	\$330.24
A&B Business Solutions	maintenance	\$104.93
AFLAC	insurance	\$228.90
American Family Insurance	insurance	\$8.00
Asphalt Paving & Materials	supplies	\$9,989.00
A-Tech	repairs	\$2,580.00
A-OX Welding Supply	supplies	\$31.08
Cardmember Services	supplies	\$92.97
Chase Monson	mileage	\$236.80
Clark Chamber of Commerce	subsidies	\$500.00
Clark Co. Farmers Elevator	supplies	\$309.90
Clark Co. Historical Society	subsidies	\$560.00
Clark Hometown Variety	supplies	\$37.91
Clark County Treasurer	police protection	\$8,165.00
Clark Courier	advertising	\$607.10
Clark Community Oil	supplies	\$1,806.60

City Council Meeting – June 7, 2010

To	For	Amount
Clark Doland Concrete	supplies	\$2,313.00
Clark Rural Water	materials	\$13,028.80
Clausen Construction	supplies	\$744.00
Cole Papers	supplies	\$260.66
Cook's Wastepaper	utilities	\$39.93
Dacotah Bank	fees	\$32.44
Dakota Electronics	repairs	\$1,135.25
Dekker Hardware	supplies	\$349.73
Desnoyers Hardware	supplies	\$920.97
Ecolab	maintenance	\$77.00
Ellwein Brothers	liquor	\$11,188.35
ESRI	maintenance	\$400.00
Fjelland Law Office	legal fees	\$604.00
Girton Adam Co.	equipment	\$19,969.42
Hawkins	supplies	\$10,887.01
Huron Culvert	supplies	\$712.14
In the Swim	supplies	\$22.94
ITC	utilities	\$393.66
ITC Economic Development	loan	\$2,802.22
Jodi Hemiller	training	\$190.00
Johnson Brothers	liquor	\$6,624.36
Ken's	supplies	\$85.01
Literary Guild	books	\$54.25
Lyle Signs	supplies	\$149.89
Mack's Standard	supplies	\$373.14
Mid America Sports Advantage	supplies	\$1,173.31
Midwest Playscapes	installation	\$1,562.00
Moritz Publishing	supplies	\$288.10
NAPA Auto Parts	supplies	\$208.91
Northwestern Energy	utilities	\$4,477.06
Olson Auto Parts	supplies	\$143.89
Olson Motor Co.	repairs	\$451.26
One Call Systems	professional fees	\$59.89
Oscar's Machine	repairs	\$240.39
Pitney Bowes	supplies	\$1,123.99
Porter Distributing	liquor	\$2,946.50
Pro Build	supplies	\$632.12
Quill	supplies	\$58.22
Republic National	liquor	\$5,436.67
Rita Zeck	maintenance	\$35.00

City Council Meeting – June 7, 2010

To	For	Amount
Ritter's repairs	repairs	\$250.50
SD Dept of Revenue	professional fees	\$200.00
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
Share Corp.	supplies	\$286.49
Star Laundry	maintenance	\$106.82
State of SD VFW	registration	\$75.00
The Tree Farm	supplies	\$119.80
USA Blue Book	supplies	\$294.51
Westside Implement	repairs	\$4.71
Woodring Plumbing	repairs	\$994.25
Dacotah Bank	subsidies	\$3,613.41

Motion # 106-2010

Special Events Liquor License

Motion by Dreher and seconded by Reidburn to approve a special events liquor license for the Rotary for the Tour De Kota on June 9 at Dickinson Park. All members voting yes. Motion carried.

Motion # 107-2010

Clark Lanes Operating Agreement

Motion by Dreher and seconded by Heim to renew the Clark Lanes operating agreement on July 1. All members voting yes. Motion carried.

Motion # 108-2010

Ordinance #489 Golf Carts

Motion by Fuller and seconded by Pollock to approve Ordinance #489 on Golf Cart usages. Members voting yes: Fuller, Heim, Pollock Reidburn and Streff. Opposed: Dreher. Ordinance #489 was published in the June 9th paper.

First reading was had on Ordinance # 491 Transient Vendors – an ordinance to changing the approval of a transient vendor to the Mayor instead of city council.

Motion # 109-2010

Supplementing Parks Budget

Motion by Dreher and seconded by Streff to supplement the Parks budget by \$12,250 to supplement the purchase of the playground equipment from funds received by the capital outlay fund, Rotary and Lion's groups. All members voting yes. Motion carried.

Motion # 110-2010

Write Off Uncollectable Water Account

Motion by Fuller and seconded by Pollock to write off \$527.80 as an uncollectable water account, account 02-00002270-00-5. All members voting yes. Motion carried.

Motion # 111-2010

July Meeting

Motion by Dreher and seconded by Heim to change the July council meeting to July 7, 2010 at 7:00 pm due to the 4th of July holiday. All members voting yes. Motion carried.

Motion # 112-2010

Adjourn

Motion by Fuller and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:12 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell

(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
June 28, 2010
7:00 PM**

Call to order: The Clark City Council met in session on June 28, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim and Lon Reidburn. Absent John Pollock.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland and Paul Herman

Council President Dreher called the meeting to order at 7:02 pm.

Motion # 113-2010

Adopt Agenda

Motion by Reidburn and seconded by Fuller to adopt the agenda. All members voting yes.
Motion carried.

Motion # 114-2010

Approve Minutes

Motion by Fuller and seconded by Heim to approve the Council Meeting Minutes from June 7, 2010. All members voting yes. Motion carried.

Board of Adjustment Meeting

This being the published time and place, the City Council entered into the Board of Adjustment meeting to hear a variance request by Paul Herman. Finance Officer Luttrell stated Mr. Herman has met all the requirements for the variance request to build a 40' x 60' steel sided building.

Motion # 115-2010

Approve Variance

Motion by Heim and seconded by Reidburn to approve Paul Herman's variance request to build a 40' x 60' steel sided building on his property at 307 4th Ave. SE, legal description W 35' of Lot 2 & E 40' of Lot 3 Block 9 Brown & Wares Addn Clark & Lot 1 & E 25' of Lot 2 Block 9 Brown & Wares Addn Clark. All members voting yes. Motion carried.

Motion # 116-2010

Ordinance #490 Zoning Correction

Motion by Reidburn and seconded by Streff to approve Ordinance #490 An Ordinance Amending the Zoning Manual. All members voting yes. Motion carried.

ORDINANCE #490

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE " TITLE 11 – ZONING".

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that Title 11 – Zoning, Chapters 11.07.04, 11.08.04, 11.09.04, 11.10.04 Conditional Use be amended to **remove** the following wording from the section of Conditional Use:

City Council Meeting – June 28, 2010

“The Board of Adjustment may grant the following uses provided the written consent of more than fifty percent (50%) of the number of owners of property within two hundred fifty (250) feet of any property line of the premises is obtained.”

All ordinances and resolutions or parts of ordinances and resolutions in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance or resolution previously adopted.

CITY OF CLARK

Eric Stevens, Mayor

ATTEST:

Jackie Luttrell, Finance Officer
(SEAL)

Motion # 117-2010

Ordinance #491 Transient Vendors

Motion by Fuller and seconded by Streff to approve Ordinance #491 An Ordinance Amending Title 8, License, Chapter 8.06.10 of the Clark Municipal Code. All members voting yes. Motion carried.

ORDINANCE NO. 491

AN ORDINANCE TO AMEND TITLE 8, LICENSES, CHAPTER 8.06.10 OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 8 – Licenses, Chapter 8.06 Transient Merchants, Peddlers, Section 8.06.10 Approval of License” of the Clark Municipal Code be amended to read in its entirety as follows:

“8.06.10 Approval of License

Any person seeking to obtain a license under the provisions of this Chapter shall pay to the City Finance Officer the amount provided for by this Chapter for such license, for which the Finance Officer shall furnish the applicant a receipt designating kind of place and activity applied for. Upon presentation of such receipt, the Mayor or Council President, at his/her discretion reviews the application and deems if the applicant a suitable and proper person to have such license, shall endorse on a said receipt the word “granted” and sign the endorsement officially. Said receipt when signed shall be deemed a good and sufficient license. If the Mayor does not grant said license, the applicant shall be informed of the same and the Finance Officer shall thereupon

City Council Meeting – June 28, 2010

refund the amount of the license paid and the applicant’s receipt shall be the Finance Officer’s voucher for the money returned. “

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance previously adopted.

Eric Stevens, Mayor

ATTEST:

Jackie Luttrell
City Finance Officer

(SEAL)

Motion # 118-2010

Approve Claims

Motion by Fuller and seconded by Reidburn to approve the following claims. All members voting yes. Motion carried.

#	To	For	Amount
333	City of Clark	utilities	\$622.82
334	SD Dept of Revenue	sales tax	\$280.42
335	EFTPS	941 taxes	\$2,743.92
336	EFTPS	941 taxes	\$2,949.84
337	EFTPS	941 taxes	\$35.78
19209	The US Life Insurance Co.	insurance	\$17.40
19210	Dacotah Bank	TIF 2 loan	\$2,771.10
19211	Clark American Legion	support	\$1,500.00
19212	City of Clark	deposit applied to bill	\$50.42
19213	Dawnette Austin	refund deposit balance	\$49.58
19214	Cook's Wastepaper	garbage	\$5,235.42
19215 -19216	Water Dept.	payroll	\$1,088.81
19218 -19248	Sewer Dept.	payroll	\$1,088.81
	Govt. Bldg.	payroll	\$84.98
	Pool	payroll	\$1,931.55
	Streets	payroll	\$2,150.67
	Finance Office	payroll	\$1,000.53
	Sanitation	payroll	\$706.66
	Library	payroll	\$378.44
	Transit	payroll	\$470.93
	Mayor	payroll	\$172.27

City Council Meeting – June 28, 2010

#	To	For	Amount
	Parks Dept.	payroll	\$1,176.05
	Teener	payroll	\$263.86
19247	Menards	supplies	\$74.19
19217	VOIDED		
19249	Wellmark BCBS	insurance	\$4,562.36
19250	Rae Jean Flora	mileage & meals	\$146.72
19251	Jackie Luttrell	meals	\$52.00
19252	alltel	utilities	\$87.98
19253	Francis L. Dean & Assoc.	insurance	\$326.51
19254	The US Life Insurance Co.	insurance	\$34.80
19255	Jensen's	fridge	\$225.00
19256	Petty Cash	supplies	\$83.14
19257 - 19287	Water Dept.	payroll	\$1,032.82
	Sewer Dept.	payroll	\$1,032.82
	Govt. Bldg.	payroll	\$93.61
	Pool	payroll	\$2,758.23
	Streets	payroll	\$2,155.85
	Finance Office	payroll	\$1,245.39
	Sanitation	payroll	\$768.27
	Library	payroll	\$378.44
	Transit	payroll	\$654.41
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$1,478.49
	Teener	payroll	\$263.86
19288	VOIDED		
19289	Account Mngt.	garnish	\$30.00
19290	Credit Collections Bureau	garnish	\$18.80
19291	Midwest Credits	garnish	\$184.74
19292	Chase Monson	supplemental payroll	\$215.92

To	For	Amount
Adolph Kiefer & Assoc.	swimsuits	\$696.58
Baker & Taylor	books	\$39.78
Book of the Month Club	books	\$103.41
Brenda Jenkins	refund	\$20.00
Butler Machinery Co.	parts	\$261.71
Cardmember Services	supplies & hotel	\$271.14
Clark Chamber of Commerce	fireworks donation	\$250.00
Clark Co. Highway Dept.	salt sand	\$205.20
Clark Community Oil	supplies	\$1,714.85

City Council Meeting – June 28, 2010

To	For	Amount
Clark Hometown Variety	supplies	\$18.44
Emma Adam	mileage and meals	\$173.36
Gruenwald Electric	repairs	\$28.47
Harve's Sport Shop	supplies	\$61.35
Hawkins	supplies	\$11,019.89
Huron Culvert	supplies	\$381.40
In the Swim	supplies	\$71.93
Kendra Stromsness	meals and mileage	\$108.61
M&T Fire & Safety	supplies	\$24.00
Mid-America Sports Advantage	supplies	\$962.63
Moeller Sheet Metal	maintenance	\$2,221.34
Northwestern Energy	utilities	\$6,798.46
Office Peeps	supplies	\$119.40
Pioneer Bank & Trust	copier	\$942.00
Pitney Bowes Postage	fees	\$22.14
Pitney Bowes Lease	supplies	\$186.98
Quill	supplies	\$50.87
R & R Conversions	supplies	\$91.10
Ruth Schweiger	refund	\$13.00
Sara Hoogheem	mileage	\$56.24
SD DENR	professional fees	\$600.00
SD Dept of Revenue	professional fees	\$272.00
Sign Pro	supplies	\$75.00
United Industries Inc.	supplies	\$308.43
Watertown Community Rec Ctr.	training	\$160.00
Westside Implement	skid steer	\$1,370.00
Whelen Engineering Co.	parts	\$75.00
William Neale & Co.	professional fees	\$11,275.00

Motion # 119-2010

Personnel Manual Update

Motion by Streff and seconded by Reidburn to approve updates to the Personnel Manual regarding the health insurance benefit change of splitting the deductible and out-of-pocket maximums. All members voting yes. Motion carried.

Chip Seal Bid

This being the advertised time and place, bids were opened for chip sealing city streets. One bid was received from McLaughlin & Schulz for \$22,100.00 to apply one tanker load of oil (supplied by the city) to 221,000 square feet of streets. Street Superintendent Collins was not in attendance. Bid was tabled until the July meeting.

Motion # 120-2010

2008 Audit

Motion by Heim and seconded by Reidburn to approve the 2008 audit as performed by William Neale & Co. All members voting yes. Motion carried.

Motion # 121-2010

Transient Permit

Motion by Heim and seconded by Streff to approve the Transient Permit requested by Osborne Clothing for July 7 and July 8 at the Clark American Legion. All members voting yes. Motion carried.

Dog Inquiries

Council revisited how to handle dog complaints. Will readvertise for a dog catcher and Streff will talk to the Sheriff about what it would take to get their office to handle dog calls.

Motion # 122-2010

Surge Suppressor

Motion by Heim and seconded by Reidburn to approve to purchase a surge suppressor for the clinic at a cost of \$2,688.45 from Marquardt Electric. Members voting yes included Heim, Reidburn, Fuller and Dreher. Streff abstained. Motion carried.

Motion # 123-2010

Executive Session

Motion by Heim and seconded by Reidburn to enter into executive session for personnel issues. All members voting yes. Motion carried.

Executive session began at 7:23 pm and ended at 7:31 pm.

Motion # 124-2010

Adjourn

Motion by Fuller and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:32 pm.

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Council President Larry Dreher

Attest: Finance Officer Jackie Luttrell

(seal)

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City of Clark Council Meeting
July 7, 2010
7:00 PM

Call to order: The Clark City Council met in session on July 7, 2010 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Roberta Heim, John Pollock and Lon Reidburn. Absent Louann Streff.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Roger Collins, Loren Stanley, Merlyn Ritter and Terry Binger. Absent Mayor Eric Stevens and Darin Altfillisch.

Council President Dreher called the meeting to order at 7:03 pm.

Motion # 125-2010

Adopt Agenda

Motion by Pollock and seconded by Reidburn to adopt the agenda. All members voting yes.
Motion carried.

Public Input

Merlyn Ritter was in attendance asking for assistance with the drainage issue by his house.

Department Updates

Updates given by Collins, Stanley and Luttrell. No action taken on the chip sealing due to high cost. Heim asked for salary comparisons and benefit summaries for full time employees. Reidburn explained repairs needed to Dickinson Park backstop would cost \$2,600.

Board of Adjustments Meeting

Being 7:35 pm, council went into the scheduled Board of Adjustment meeting to hear a variance request by Terry Binger. Luttrell stated all the variance requirements have been met by Binger to move a trailer older than 10 years to his residential manufactured home district lot from another lot in town. No one was in attendance to voice opinions.

Motion # 126-2010

Approve Variance

Motion by Fuller and seconded by Pollock to approve the variance request for Terry Binger to allow him to move a trailer from another lot in town into his residential manufactured home district. All members voting yes. Motion carried.

Board of Adjustments meeting declared out at 7:40 pm. Council meeting reconvened.

Motion # 127-2010

Backstop Repairs

Motion by Pollock and seconded by Heim to approve the \$2,600.00 expense to replace the backstop at Dickinson Park. All members voting yes. Motion carried.

Motion # 128-2010

Approve Department Updates

Motion by Heim and seconded by Reidburn to approve the department updates. All members voting yes. Motion carried.

Motion # 129-2010

Approve Minutes

Motion by Reidburn and seconded by Fuller to approve the Council Meeting Minutes from June 28, 2010. All members voting yes. Motion carried.

Motion # 130-2010

Approve Financial Statements

Motion by Pollock and seconded by Heim to approve the financial statements. All members voting yes. Motion carried.

Motion # 131-2010

Approve Library 2nd Qtr. Financial Statements

Motion by Pollock and seconded by Reidburn to approve the 2nd quarter library financial statements. All members voting yes. Motion carried.

Motion # 132-2010

Approve Claims

Motion by Reidburn and seconded by Heim to approve the following claims. All members voting yes. Motion carried.

Additional Paid Claims

#	To	For	Amount
338	American Family Insurance	life insurance	\$8.00
339	SD Rural Development	sewer revenue bond	\$787.00
340	SD Rural Development	water revenue bond	\$908.00
341	Dacotah Bank	credit card fees	\$39.09
19330	SD Retirement Systems	retirement contributions	\$2,065.42

New Claims

To	For	Amount
A-OX Welding	supplies	\$10.54
A&B Business	maintenance	\$54.10
ALFAC	insurance	\$228.90
Banyon Data Systems	maintenance	\$195.00
Brooklyn Bjerke	mileage	\$120.25
Butler Machinery	repairs	\$10,506.64
Clark Co. Auto Parts	repair parts	\$87.97
Clark Community Oil	supplies	\$1,158.33
Clark Co. Courier	advertising	\$389.33
Clark Co. Farmers Elevator	repairs	\$183.60
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00

City Council Meeting – July 7, 2010

To	For	Amount
Codington Clark Equipment	repair parts	\$91.00
Cook's Wastepaper	garbage	\$39.93
Dacotah Bank	subsidies	\$6,477.47
Dakota Electronics	maintenance	\$200.00
Dekker Hardware	supplies	\$934.27
Electric Motors & Moore	repairs	\$231.50
First National Bank	SRF loan	\$6,940.29
Fjelland Law Office	legal fees	\$366.40
ITC	utilities	\$433.69
Johnson Brothers	liquor	\$6,154.19
Ken's	supplies	\$945.52
Mack's Standard	supplies	\$474.97
Midwest Alarm	professional fees	\$261.25
Moritz Publishing	supplies	\$120.20
Olson Motor Co.	repairs	\$647.91
Oscar's Machine Shop	repairs	\$21.76
Porter Distributing	liquor	\$4,662.35
Pro Build	supplies	\$194.37
Republic National	liquor	\$9,047.68
Ritter's Repair	repairs	\$20.00
Roy's Sport Shop	supplies	\$221.97
SD Dept of Revenue	sales tax	\$243.36
Ellwein	liquor	\$10,034.05
Star Laundry	maintenance	\$53.41
Young's Primetime Sports	Teener supplies	\$292.50
Westside Implement	repairs	\$157.69
Woodring Plumbing	repairs	\$181.05

Motion # 133-2010

Sheriff's Report

Motion by Heim and seconded by Pollock to approve the Sheriff's report. All members voting yes. Motion carried.

Motion # 134-2010

Operating Agreement

Motion by Fuller and seconded by Reidburn to approve renewing operating agreement for Clark Lanes and Playhouse. All members voting yes. Motion carried.

Sewer Rates

Luttrell reported on the need to increase revenue in the Sewer fund to keep up with repairs and maintenance. After discussion, a first reading of was done to add a \$2.00 service line fee to all accounts, irrespective of vacancy or abandonment of the property.

City Council Meeting – July 7, 2010

First Reading of Ordinance #492 An Ordinance Amending Sewer Rates.

Motion # 135-2010

Meeting Date Change

Motion by Heim and seconded by Reidburn to change the August meeting to August 4, 2010 at 7:00 pm and the September meeting to September 9, 2010 at 7:00 pm. All members voting yes. Motion carried.

Motion # 136-2010

Executive Session

Motion by Reidburn and seconded by Heim to enter into executive session for contractual and personnel issues. All members voting yes. Motion carried.

Executive session began at 8:00 pm and ended at 8:14 pm.

No applicants were received for a dog catcher. The City will continue without one.

Motion # 137-2010

Adjourn

Motion by Fuller and seconded by Heim to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:15 pm.

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Council President Larry Dreher

Attest: Finance Officer Jackie Luttrell

(seal)

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